

**TESTIMONY OF SECRETARY OF THE STATE
SUSAN BYSIEWICZ
GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
February 18, 2009**

Good Morning Chairman Spallone, Chairman Slossberg, and other members of the Government Administration and Elections Committee. For the record, my name is Susan Bysiewicz, and I am the Secretary of the State. Thank you for the opportunity to testify before you today regarding several important issues.

H.B. No. 5903 An Act Concerning Absentee Voting For Members Of The Armed Forces Stationed Overseas

This bill serves a noble purpose and seeks to address a situation that has been problematic across the country for a number of years. Many members of the Armed Forces that are stationed overseas have had difficulty in receiving, completing, and returning completed absentee ballots within the specified timeframe.

This bill seeks to allow for both the electronic transmission of an absentee ballot and the electronic return of a completed absentee ballot. The Department of Defense (DOD) has been working to develop internet voting since the 2000 election. After repeated attempts to initiate a secure online voting system, members of the original DOD peer review panel found a number of security risks. Further, in their June 2007 elections report, the United States Government Accountability Office stated that the federal government has not yet developed sufficient absentee voting guidelines for this kind of use.

Until an internet system is designed to safeguard against security risks, I have proposed extending the timeframe by which military personnel can obtain a blank ballot from 90 days before the election to the first business of the calendar year of the election. In addition, I propose that Connecticut allow the electronic transmission of absentee ballot applications and blank ballots. These simple steps would greatly extend voting opportunities for members of the Armed Forces without posing additional security risks.

H.B. No. 6441 An Act Concerning Confidence In The Connecticut Election System

As Secretary, I have advocated for strict chain of custody procedures for ballots and for transparency of the audit process. However, several measures in this bill will have a fiscal impact on the cost of the audit process as a whole.

For example, this bill appears to require my office to receive, interpret and input data from 833 polling places throughout the state. This provision raises a particular concern at a time when the Governor's budget removes two positions from the division in my office responsible for administering these activities.

With respect to the process of filing election results, Connecticut elections have historically been administered on a local level with the results filed in the Town Clerk's Office and available to any member of the community. This procedure has enabled any person with a unique knowledge of the municipality and the political landscape to review and question the results after an election. By filing these results in Hartford under this proposal, the local nature of elections may be compromised and the natural safeguards and checks and balances that are provided uniquely by local election officials will be lost. This proposal would move us toward the kind of centralized environment that lead to problems in places such as Ohio.

H.B. No. 6436 An Act Concerning Ballot Access

This bill requires the checking of signatures on Nominating Petitions to be accomplished by the Office of the Secretary of the State rather than the respective Town Clerks who currently perform the task. This provision raises a particular concern at a time when the Governor's budget removes two positions from the division in my office responsible for administering these activities. In addition, by moving the task of checking petition signatures to my office we lose the knowledge that local officials bring to this process. In many instances, problems with petition signatures are identified by local officials because they have personal knowledge of the individual who signed the petition and may know, for instance, they have recently died or moved out of town and could not possibly have signed the petition in question. Further, election officials can check the signature listed on the petition against the signature on the actual voter registration card which are stored locally.

S.B. No. 909 An Act Concerning Technical Changes to Election Laws

This bill makes technical changes to Connecticut's election laws to remove obsolete references to lever voting machines and to make other technology neutral changes to the election laws to accommodate the use of new voting technology currently and in the future.

S.B. No. 913 An Act Concerning United States Senate Vacancies

This bill would make the filling of a vacancy for U.S. Senate consistent with that of Representative in Congress. Currently, the Governor has the power to appoint someone to fill a vacancy for U.S. Senate. This runs counter to our democratic process where the power to elect a public official should be placed in the hands of our citizens. This bill would remove the Governor's power to appoint and leave the question of vacancies in the U.S. Senate up to voters to decide and not in the hands of one politician.

The political intrigue surrounding several recent appointments provides clear evidence that the succession process for U.S. Senate seats in Connecticut would be much more straightforward, transparent, and democratic as a special election. We should let the voters decide who is more qualified and fit to serve in the Senate to represent the interests of our state.

S.J. No. 42 and 43 Resolutions Proposing to Amend the State Constitution Concerning Voting by Absentee Ballot

These two proposals seek to amend the Connecticut Constitution to allow for no excuse Absentee Balloting. I strongly support this concept and would be willing to work with the committee to resolve any technical differences between these two proposals.

H.B. No. 5825 An Act Establishing A No-Fault Provisional Ballot Law

This proposal would change our existing provisional balloting law and make a provisional ballot apply to all races in all elections. Currently a voter can only apply for a provisional ballot in an election for federal office. I would be willing to work with the committee on this proposal because there are other statutory sections of the law that may exist that need to be amended in order to completely implement this idea. These other sections are included in House Bill No. 6440 which is before you today as well.

H.B. No. 6435 An Act Concerning Election Day Registration

America's democracy is rooted in the participation of its citizens, each of whom is given the responsibility of exercising the precious right of casting a vote in state, local, and federal elections. Of all the rights granted to American citizens in the United States Constitution, none are as fundamental as the right to vote freely in the election of our leaders. Soldiers have died protecting this freedom for more than 225 years, and many struggled for decades to ensure that women and minorities also possess the inalienable right to vote. Still, voter participation is never guaranteed, and the effort must continuously be made to remind citizens of this country of the importance of entering a voting booth each year.

With that in mind, I have made it a priority to support programs and propose initiatives that seek to increase participation and voter turnout each Election Day. I have been an advocate of Election Day registration for over a decade and I commend the GAE Committee and many voter advocates for raising this very important topic.

H.B. No. 6439 An Act Concerning the Voting Rights of Certain Seventeen Year Old Persons

This bill is necessary to statutorily implement the recent Constitutional Amendment enacted by the citizens of Connecticut during the 2008 general election.

H.B. No. 6440 An Act Concerning Certain Revisions to Elections Related Statutes

I worked closely with the Registrars of Voters Association on this proposal and it jointly incorporates our ideas. This bill makes technical changes to Connecticut's election laws to make adjustments to the election calendar to accommodate the new optical scan voting machines, allow provisional ballots to apply to all elections and offices, adjust the absentee ballot counting timeframes because of the more efficient counting of the new optical scan voting machines, create a permanent absentee ballot for voters with disabilities, eliminate challenge ballots because provisional would now apply to all offices, and remove the ability for political parties to remove and replace candidates just before the election. In addition, this bill codifies in statute a number of voter privacy issues that concern the new technology which currently reside in regulation. These concerns include mandating that a privacy sleeve be available with a paper ballot and ensuring that a respectable space is kept between privacy booths at polling places.

S.B. No. 910 An Act Concerning Permanent Absentee Ballot Status

This bill highlights the need for voters with disabilities to permanently register to receive absentee ballots. I strongly support this concept and would like to point out that it is also a provision in House Bill No. 6440.

H.B. No. 6437 An Act Concerning an Agreement Among the States to Elect the President of the United States by National Popular Vote

I am supportive of the concept of electing the President by popular vote rather than through the Electoral College. However, my preference would be to eliminate the Electoral College at the federal level. As the Chief Election Official for this state, I am concerned that this bill, as drafted, may put us in a position where our state could support a candidate that is not supported by the compact.

Thank you for allowing me the opportunity to testify on these important issues. I would be happy to answer any questions that you or the committee may have for me.